

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MAGUIRE PRODUCTS, INC.,

Plaintiff,

-vs-

Case No. 3-:03-CV-198

**COMET AUTOMATION SYSTEMS, INC.,
et al.,**

Defendant.

Judge Thomas M. Rose

**ENTRY AND ORDER OVERRULING PLAINTIFF'S MOTION TO
COMPEL DEFENDANT FERLIN TRADING TO PRODUCE HARRY
DROGT AND RULE 30(b)(6) WITNESSES FOR DEPOSITIONS IN THE
UNITED STATES (Doc. #51.)**

Now before the Court is Plaintiff Maguire Product's ("Maguire's") Motion To Compel Defendant Ferlin Trading B.V. ("Ferlin") to Produce Harry Drogt and Rule 30(b)(6) Witnesses for Depositions In the United States. (Doc. #51.) Defendant Ferlin Trading has filed a Brief In Opposition to this motion and both Maguire Products and Ferlin Trading argued this Motion on the record in a telephone conference on June 2, 2005. The Motion is, therefore, fully briefed and ripe for decision.

Under Rule 26(c)(2), this Court has the discretion to order the location where depositions are to be held. Fed.R.Civ.P. 26(c)(2). Further, the general rule is that the deposition of a corporation by its agents and officers should be taken at the corporation's principal place of business and a defendant's deposition is generally held at his or her place of residence. *Chris-Craft Industrial Products, Inc. v. Kuraray Co.*, 184 F.R.D. 605, 607 (N.D.Ill. 1999); *Farquhar v. Sheldon*, 116 F.R.D. 70, 72 (E.D.Mich. 1987).

Maguire's Motion to conduct the deposition of Harry Drogdt and Ferlin's Rule 30(b)(6) witness at other than the location of Drogdt's residence and the Rule 30(b)(6) witness's principal place of business is not well founded and is, therefore, **OVERRULED**. In addition, the Parties are reminded that depositions may be conducted using video teleconferencing to avoid expensive travel.

DONE and **ORDERED** in Dayton, Ohio, this Seventh day of June, 2005.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record